

**MINUTES**  
**LANCASTER COUNTY BOARD OF COMMISSIONERS**  
**TUESDAY, APRIL 8, 2003**  
**COUNTY COMMISSIONERS CHAMBERS, ROOM 112**  
**FIRST FLOOR, COUNTY-CITY BUILDING**  
**1:30 P.M.**

Commissioners Present: Bernie Heier, Chair  
Ray Stevens, Vice Chair  
Larry Hudkins  
Deb Schorr

Commissioners Absent: Bob Workman

Others Present: Kerry Eagan, Chief Administrative Officer  
David Johnson, Deputy County Attorney  
Bruce Medcalf, County Clerk  
Trish Owen, Chief Deputy County Clerk  
Gwen Thorpe, Deputy Chief Administrative Officer

The Board of Commissioners meeting was called to order at 1:30 p.m.

- 1) **MINUTES: Approval of the minutes of the Board of Commissioners meeting held on Tuesday, April 1, 2003.**

**MOTION:** Hudkins moved and Stevens seconded approval of the minutes of the Board of Commissioners meeting dated April 1, 2003. Schorr, Hudkins, Stevens and Heier voted aye. Motion carried.

- 2) **SPECIAL PRESENTATIONS:**

- A. Household Hazardous Waste Collections Program - Beth Mann, Lincoln-Lancaster County Health Department**

Nancy Clark, Lincoln-Lancaster County Health Department, appeared and gave a brief overview of the program, noting that it began 17 years ago. She stated their focus is on education so that individuals understand the hazards in relation to the materials they have and use in their homes.

2) **SPECIAL PRESENTATIONS CONTINUED:**

Clark addressed funding by stating that the occupation tax will be an important part of their funding in the future. She added that they have also been successful in applying to the State Department of Environmental Quality, through the Waste Reduction and Recycling Grant Fund, for grants to assist with the collections. Clark stated they also have partnerships with two Lincoln businesses, Goodyear and Pfizer, who have been very helpful.

Beth Mann, Lincoln-Lancaster County Health Department, appeared and gave a brief explanation regarding the following documentation:

- ▶ Chart relating to household hazardous waste collections in Hickman (Exhibit 1)
- ▶ Chart relating to the 12 year trend of household hazardous waste collections in Lincoln and Lancaster County (Exhibit 2)
- ▶ 2003 schedule for household hazardous waste collections (Exhibit 3)
- ▶ Guide to household hazardous waste recycling and disposal (Exhibit 4)
- ▶ Six year data relating to household hazardous waste collection (Exhibit 5)

3) **PUBLIC COMMENT:**

There was no public comment and the meeting proceeded as planned.

4) **CLAIMS: Approval of all claims processed through Tuesday, April 8, 2003.**

**MOTION:** Schorr moved and Stevens seconded approval of all claims processed through April 8, 2003. Hudkins, Schorr, Stevens and Heier voted aye. Motion carried.

5) **OLD BUSINESS:**

**A. Applications for Special Designated Licenses from Hillcrest Country Club, located at 8901 "O" Street, to hold golfing events on the following dates:**

- ▶ Sunday, May 4, 2003 from 7 a.m. to 1 p.m.
- ▶ Sunday, May 25, 2003 from 7 a.m. to 1 p.m.
- ▶ Sunday, June 1, 2003 from 7 a.m. to 1 p.m.

5) **OLD BUSINESS CONTINUED:**

- ▶ **Sunday, July 6, 2003 from 7 a.m. to 1 p.m.**
- ▶ **Sunday, August 3, 2003 from 7 a.m. to 1 p.m.**
- ▶ **Sunday, August 17, 2003 from 7 a.m. to 1 p.m.**

Andy Reetz, General Manager for Hillcrest Country Club, appeared and stated they had been holding the golf events for the past five years and would like to continue. He stated that, according to State liquor laws, liquor cannot be served on Sunday mornings, however, the Special Designated License(s) would allow them to do so.

Discussion took place regarding a discrepancy relating to the time of the events.

Terry Wagner, County Sheriff, clarified that one of the applications does indicate a time of 7 a.m. to 1 p.m., with the remaining five applications indicating a time of 7 a.m. to 1 a.m..

Wagner also noted that it has been the recommendation of the Sheriff's Office to approve the applications for the past several years. He indicated there have been no problems in the past.

**MOTION:** Stevens moved and Schorr seconded approval of applications for Special Designated Licenses from Hillcrest Country Club, located at 8901 "O" Street, to hold golfing events from 7 a.m. to 1 a.m. on Sunday, May 4, 2003, Sunday, May 25, 2003, Sunday, June 1, 2003, Sunday, July 6, 2003, Sunday, August 3, 2003 and on Sunday, August 17, 2003.

**FRIENDLY AMENDMENT:** Schorr offered a friendly amendment to change the times for the dates as specified on the applications to be 7 a.m. to 12 p.m.

The maker of the motion agreed.

**ROLL CALL:** Hudkins, Stevens, Schorr and Heier voted aye. Motion carried.

6) **NEW BUSINESS:**

- A. Applications for Special Designated Licenses from Crooked Creek Golf Club, located at 333 South 134<sup>th</sup> Street, golf tournaments on Sunday, May 18, 2003 from 7 a.m. to 12 p.m. and on Sunday, June 8, 2003 from 7 a.m. to 12 p.m.**

Ryan Rosentiel, General Manager for Crooked Creek Golf Club, appeared to answer any questions.

**MOTION:** Schorr moved and Hudkins seconded approval of applications for Special Designated Licenses from Crooked Creek Golf Club, located at 333 South 134<sup>th</sup> Street, golf tournaments on Sunday, May 18, 2003 from 7 a.m. to 12 p.m. and on Sunday, June 8, 2003 from 7 a.m. to 12 p.m. Stevens, Schorr, Hudkins and Heier voted aye. Motion carried.

- B. An agreement with The Recovery Center for substance abuse evaluations and clinical supervision of individuals being trained to provide substance abuse evaluations at the Lancaster County Assessment Center. The term of the agreement is from March 1, 2003 to March 1, 2004. The County shall pay \$150 per hour per evaluation and \$35 per hour for supervisory and training services. Total compensation shall not exceed \$20,000. (C-03-0127)**

Renee Dozier, Families First and Foremost Associate Director, noted that the fee should be \$150 per evaluation, not per hour per evaluation.

Gus Hitz, Assessment Center Director, gave a brief overview of the agreement with The Recovery Center.

In response to a question asked by Schorr regarding the number of evaluations to be conducted in a one year period, Hitz stated they have never performed the work before, however, they do know, through discussions with Juvenile Court and Probation, that there is a tremendous need for them. He stated he believed they would be looking at, at least, 15 evaluations per Juvenile Court judge.

Hitz also noted that he had not received the certificate of insurance, however, coverage should be in place by Wednesday, April 9<sup>th</sup>.

6) **NEW BUSINESS CONTINUED:**

In response to a question asked by Hudkins regarding the insurance, David Johnson, Deputy County Attorney, recommended that the Board's approval be subject to receiving the certificate of insurance.

**MOTION:** Hudkins moved and Stevens seconded approval of an agreement with The Recovery Center for substance abuse evaluations and clinical supervision of individuals being trained to provide substance abuse evaluations at the Lancaster County Assessment Center subject to receipt of a certificate of insurance. Stevens, Hudkins, Schorr and Heier voted aye. Motion carried.

**C. Acceptance of the terms and conditions of a provider user agreement with Magellan Behavioral Health Services. Magellan processes claims from the Mental Health Center. Magellan shall provide us access to information relating to claims, clinical document submission, documents related to billing, provider related processes through their website. (C-03-0125)**

This item was held at the request of the County Attorney's Office.

**D. A notice of cancellation of an agreement with the Asian Community Center for a care coordinator and related services for juveniles who are wards of the State of Nebraska. The agreement is under County Contract Number C-02-0490 and has a 60 day notice requirement. The effective date of cancellation shall be June 13, 2003.**

Renee Dozier, Families First and Foremost Associate Director, indicated they haven't requested services since January 20, 2003.

**MOTION:** Schorr moved and Hudkins seconded approval of a notice of cancellation of an agreement with the Asian Community Center for a care coordinator and related services for juveniles who are wards of the State of Nebraska. The agreement is under County Contract Number C-02-0490 and has a 60 day notice requirement. The effective date of cancellation shall be June 13, 2003. Hudkins, Stevens, Schorr and Heier voted aye. Motion carried.

6) **NEW BUSINESS CONTINUED:**

- E. Payment of \$1,446.92 to Seacrest & Kalkowski, P.C. for moderator services for a Community Services Implementation Plan meeting. Payment represents one-third of the total bill, with the remaining two-thirds being paid by the City of Lincoln and United Way.**

Kerry Eagan, Chief Administrative Officer, appeared and gave a brief explanation regarding the moderator services and noted that the City has already made their one-third payment.

**MOTION:** Stevens moved and Schorr seconded approval of payment of \$1,446.92 to Seacrest & Kalkowski, P.C. for moderator services for a Community Services Implementation Plan meeting. Payment represents one-third of the total bill, with the remaining two-thirds being paid by the City of Lincoln and United Way. Stevens, Hudkins, Schorr and Heier voted aye. Motion carried.

- F. A resolution authorizing the following traffic signs in Lancaster County, Nebraska: (R-03-0015)**

- ▶ **Install a "STOP AHEAD" sign in advance of the existing "STOP" sign on Alvo Road approximately 500 feet east of North 162<sup>nd</sup> Street for westbound traffic.**
- ▶ **Remove the "CHILDREN AT PLAY" signs installed under County Resolution 99-1989 located on West Wittstruck Road, one east of Southwest 114<sup>th</sup> Street for westbound traffic and one, one-half mile west of Southwest 114<sup>th</sup> Street for eastbound traffic.**

Hudkins inquired why the "Children At Play" signs were being removed.

Larry Worrell, Chief Deputy County Surveyor, explained that the property had been sold and children no longer reside at that location.

**MOTION:** Hudkins moved and Stevens seconded approval of Resolution 03-0015 in the matter of authorizing traffic signs in Lancaster County, Nebraska. Schorr, Hudkins, Stevens and Heier voted aye. Motion carried.

6) NEW BUSINESS CONTINUED:

**G. A resolution in the matter of designating Lancaster County as a hybrid entity, appointing a privacy officer(s) and adopting policies regarding the confidentiality of protected health information pursuant to the administrative simplification provisions of the Health Insurance Portability and Accountability Act (HIPAA) of 1996. (R-03-0017)**

Diane Staab, Deputy County Attorney, appeared and addressed the resolution, noting the following components:

- ▶ Designation of Lancaster County as a hybrid entity to separate the agencies which work with health care versus those agencies that do not.
- ▶ Adopts privacy policies which will begin April 14, 2003.
- ▶ Appointment of Privacy Officer(s) at the Community Mental Health Center and Lancaster Manor.

**MOTION:** Hudkins moved and Stevens seconded approval of Resolution 03-0017 in the matter of designating Lancaster County as a hybrid entity, appointing a privacy officer(s) and adopting policies regarding the confidentiality of protected health information pursuant to the administrative simplification provisions of the Health Insurance Portability and Accountability Act (HIPAA) of 1996. Hudkins, Stevens, Schorr and Heier voted aye. Motion carried.

**H. Recommendation from the Purchasing Agent and the County Engineer to award a bid for gravel hauling as follows: (B-03-0010)**

Project 03-33H - 9,020 Tons - Waverly Maintenance Station Stockpile

|                                       |            |                     |
|---------------------------------------|------------|---------------------|
| Kuhn's Trucking (Hauler)              | \$2.04/Ton | \$ 18,400.80        |
| Lyman-Richey Sand & Gravel (Producer) | \$6.39/Ton | \$ <u>57,637.80</u> |
|                                       | Total      | \$ 76,038.60        |

Project 03-34H - 4,620 Tons - Raymond Maintenance Station Stockpile

|                                       |            |                     |
|---------------------------------------|------------|---------------------|
| Lyman-Richey Sand & Gravel (Hauler)   | \$1.43/Ton | \$ 6,606.60         |
| Lyman-Richey Sand & Gravel (Producer) | \$6.39/Ton | \$ <u>29,521.00</u> |
|                                       | Total      | \$ 36,128.40        |

6) NEW BUSINESS CONTINUED:

|  |            |                     |
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| <u>Project 03-35H - 3,300 tons - Emerald Maintenance Station Stockpile</u> |            |                     |
| Westover Trucking (Hauler)   | \$2.55/Ton | \$ 8,415.00         |
| Lyman-Richey Sand & Gravel (Producer)                                      | \$6.39/Ton | \$ <u>21,087.00</u> |
|  | Total      | \$ 29,502.00        |

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| <u>Project 03-36H - 2,970 Tons - SW 12<sup>th</sup> Street &amp; W Saltillo Road</u> |            |                     |
| Buel Trucking (Hauler)   | \$3.75/Ton | \$ 11,137.50        |
| Lyman-Richey Sand & Gravel (Producer)  | \$6.39/Ton | \$ <u>18,978.30</u> |
|  | Total      | \$ 30,115.80        |

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|---|------------|---------------------|
| <u>Project 03-37H - 7,150 Tons - Roca Stockpile</u> |            |                     |
| Hiskey Trucking (Hauler)                            | \$3.60/Ton | \$ 25,740.00        |
| Lyman-Richey Sand & Gravel (Producer)               | \$6.39/Ton | \$ <u>45,688.50</u> |
|   | Total      | \$ 71,428.50        |

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|---|------------|---------------------|
| <u>Project 03-38H - 4,290 Tons - S 68<sup>th</sup> Street between Olive Creek Rd &amp; Princeton Rd</u> |            |                     |
| Madlock Trucking (Hauler)   | \$4.55/Ton | \$ 19,519.50        |
| Lyman-Richey Sand & Gravel (Producer)   | \$6.39/Ton | \$ <u>27,413.10</u> |
|   | Total      | \$ 46,932.60        |

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|---|------------|---------------------|
| <u>Project 03-39H - 2,750 Tons - Walton Maintenance Station Stockpile</u> |            |                     |
| Buel Trucking (Hauler)  | \$2.85/Ton | \$ 7,837.50         |
| Lyman-Richey Sand & Gravel (Producer)                                     | \$6.39/Ton | \$ <u>17,572.50</u> |
|   | Total      | \$ 25,410.00        |

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| <u>Project 03-40H - 2,200 Tons - Davey Maintenance Station Stockpile</u> |            |                     |
| Westover Trucking (Hauler)   | \$1.83/Ton | \$ 4,026.00         |
| Lyman-Richey Sand & Gravel (Producer)                                    | \$6.39/Ton | \$ <u>14,058.00</u> |
|  | Total      | \$ 18,084.00        |

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| <u>Project 03-41H - 5,500 Tons - SW 98<sup>th</sup> Street &amp; Saltillo Rd Maintenance Station Stockpile</u> |            |                     |
| Westover Trucking (Hauler)   | \$4.69/Ton | \$ 25,795.00        |
| Lyman-Richey Sand & Gravel (Producer)  | \$6.39/Ton | \$ <u>35,145.00</u> |
|  | Total      | \$ 60,940.00        |

**Total for Hauling and Production** **\$ 394,579.90**

6) **NEW BUSINESS CONTINUED:**

**MOTION:** Hudkins moved and Stevens seconded approval to award a bid for gravel hauling as recommended by the County Engineer and the Purchasing Agent. Schorr, Hudkins, Stevens and Heier voted aye. Motion carried.

**I. Recommendation from the Purchasing Agent and the Noxious Weed Control Superintendent to award a bid for annual weed control services to "All Care" Grounds Management, Angel's Native Flowers, Best Kept Lawn Care, C & L Lawn Care, Inc., Green Touch Lawn Care, Inc., Lawn Sharks, Inc. and Lee's Lawn Maintenance, at rates as specified in the bid tabulation sheet. (B-03-0011)**

**MOTION:** Hudkins moved and Stevens seconded to award a bid for annual weed control services as recommended by the Noxious Weed Control Superintendent and the Purchasing Agent. Hudkins, Schorr, Stevens and Heier voted aye. Motion carried.

**J. Reappointment of Ryan Brady to the Commissioners Award of Excellence Committee to a two-year term, beginning January 31, 2003 and ending January 31, 2005.**

**MOTION:** Stevens moved and Schorr seconded approval of the reappointment of Ryan Brady to the Commissioners Award of Excellence Committee to a two-year term, beginning January 31, 2003 and ending January 31, 2005. Schorr, Hudkins, Stevens and Heier voted aye. Motion carried.

7) **CONSENT ITEMS:** These are items of business that are routine which are expected to be adopted without dissent. Any individual item may be removed for special discussion and consideration by a Commissioner or by any member of the public without prior notice. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners. These items are approval of:

**A. Receive and Place on File:**

**1. County Clerk's Monthly Report for March, 2003.**

**B. Request from Sadie Helms, an employee with Lancaster Manor, to voluntarily participate in the Lancaster County Retirement Plan having met the requirements.**

7) CONSENT ITEMS CONTINUED:

- C. A resolution in the matter of County Change of Zone 212 from AG Agricultural to AGR Agricultural Residential, requested by Robert and Diane Niemeyer, on property generally located at South 96<sup>th</sup> Street and Stagecoach Road in Lancaster County, Nebraska. (R-03-0016)
- D. Right-of-way contracts relating to road improvements between the Lancaster County Engineering Department and the following:
- ▶ City of Lincoln at South 1<sup>st</sup> Street and Pioneers Boulevard; Project BR-5204(2). This is a donation. (C-03-0129)
  - ▶ Eldon J Chrastil, in the amount of \$206, on Southwest 86<sup>th</sup> Street north of West Pella Road; Project C.P.V-284. (C-03-0130)
  - ▶ Vonley M Wilson, Jr and Regina M Wilson, on Princeton Road east of South 12<sup>th</sup> Street; Project C..W-147. These are donations. (2 contracts) (C-03-0131 and C-03-0132)
  - ▶ Dean Krueger on Princeton Road east of South 12<sup>th</sup> Street; Project C.P.W-147. This is a donation. (C-03-0133)

**MOTION:** Stevens moved and Schorr seconded approval of the Consent Items. Schorr, Stevens, Hudkins and Heier voted aye. Motion carried.

8) ADJOURNMENT:

**MOTION:** Stevens moved and Hudkins seconded adjournment of the Board of Commissioners meeting at 2:26 p.m.. Stevens, Hudkins, Schorr and Heier voted aye. Motion carried.

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Bruce Medcalf  
County Clerk

**MINUTES  
LANCASTER COUNTY BOARD OF EQUALIZATION  
TUESDAY, APRIL 8, 2003  
COUNTY COMMISSIONERS CHAMBERS, ROOM 112  
FIRST FLOOR, COUNTY-CITY BUILDING  
IMMEDIATELY FOLLOWING THE REGULAR BOARD OF COMMISSIONERS  
MEETING**

Commissioners Present: Bernie Heier, Chair  
Ray Stevens, Vice Chair  
Larry Hudkins  
Deb Schorr

Commissioners Absent: Bob Workman

Others Present: Connie Ahlschwede, County Assessor/Register of Deeds  
Office  
Kerry Eagan, Chief Administrative Officer  
David Johnson, Deputy County Attorney  
Bruce Medcalf, County Clerk  
Trish Owen, Chief Deputy County Clerk  
Gwen Thorpe, Deputy Chief Administrative Officer

The Board of Equalization meeting was called to order at 2:27 p.m..

- 1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, April 1, 2003.**

**MOTION:** Hudkins moved and Stevens seconded approval of the minutes of the Board of Equalization meeting dated April 1, 2003. Schorr, Hudkins, Stevens and Heier voted aye. Motion carried.

- 2) **PUBLIC COMMENT:**

There was no public comment and the meeting proceeded as planned.

3) **MOTOR VEHICLE TAX EXEMPTIONS:**

Catholic Bishop of Lincoln, Inc.  
Developmental Services of Nebraska, Inc.  
Mid-America Union Conference of Seventh-Day Adventists  
Parkview Christian School  
Priestly Fraternity of St. Peter d/b/a Our Lady of Guadalupe Seminary  
St. Monica's

**MOTION:** Stevens moved and Schorr seconded approval of motor vehicle tax exemptions for the Catholic Bishop of Lincoln, Inc., Developmental Services of Nebraska, Inc., Mid-America Union Conference of Seventh-Day Adventists, Priestly Fraternity of St. Peter d/b/a Our Lady of Guadalupe Seminary and St. Monica's and to approve a motor vehicle tax exemption for Parkview Christian School subject the vehicle(s) being titled and registered to the applicant. Stevens, Hudkins, Schorr and Heier voted aye. Motion carried.

4) **ADJOURNMENT:**

**MOTION:** Hudkins moved and Schorr seconded adjournment of the Board of Equalization meeting at 2:29 p.m.. Hudkins, Schorr, Stevens and Heier voted aye. Motion carried.

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Bruce Medcalf  
County Clerk